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Client: 56736-00004

May 10, 2013

## VIA HAND DELIVERY

The Honorable Robert E. Payne, United States District Judge  
United States District Court  
for the Eastern District of Virginia, Richmond Division  
Spottswood W. Robinson III and  
Robert R. Merhige, Jr., Federal Courthouse  
701 East Broad Street  
Richmond, VA 23219

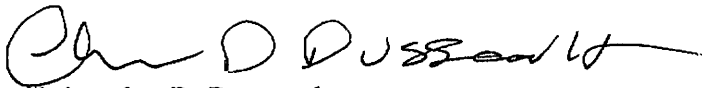
Re: ePlus, Inc. v. Lawson Software, Inc., Civil Action No. 3:09cv620

Dear Judge Payne:

I write on behalf of Lawson to respond very briefly to ePlus's letter of May 8, 2013 letter. On May 6, 2013, Lawson submitted to the Court an accurate list of the 146 Lawson customers who had Configuration No. 3 or Configuration No. 5 from the date of the injunction through November 30, 2012. ePlus *does not dispute* that the list submitted by Lawson accurately identifies those 146 customers. (D.I. 1080 at 1.) ePlus also does not dispute that this list is based on records that are in evidence, or that it reflects the same customers identified by the parties' respective economic experts. This evidence will enable the Court to resolve any confusion that ePlus has created – inadvertently or otherwise – as to whether particular customers mentioned in the record have one of the only two configurations that remain at issue in this proceeding, Configuration Nos. 3 or 5.

ePlus's response goes far beyond the uncontroversial assertions made in Lawson's letter and attached list, advancing (or repeating) arguments that are inconsistent with the factual record, logic, and governing legal precedent. While Lawson would be pleased to respond in detail to those unwarranted and inaccurate arguments, it will not do so unless invited by the Court, as the issues have been thoroughly briefed in previous submissions.

Respectfully submitted,

  
Christopher D. Dusseault

cc: Counsel of Record (Via E-mail)

CDD/lcj

